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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRIUNFO, INC., F.K.A. CATALINA
GRAPHIC FILMS, INC., a Nevada
corporation,

Plaintiff,

vs.

GLOBAL GRAPHIC RESOURCES LLC,
a Minnesota limited liability company and
DARYL K. HANZAL, an individual, and
DOES 1-10,

Defendant.

GLOBAL GRAPHIC RESOURCES LLC,
a Minnesota limited liability company and
DARYL K. HANZAL, an individual,

Plaintiffs,

vs.

TRIUNFO, INC., F.K.A. CATALINA
GRAPHIC FILMS, INC., a Nevada
Corporation,

Defendant.

Case No. 2:19-cv-1164-RFB-EJY

Consolidated with 2:18-cv-1913-RFB-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(First Request)

Plaintiff, Triunfo, Inc., f.k.a. Catalina Graphic Films, Inc. by and through its attorney of
record, Nicholas M. Wieczorek, Esq. of the law firm of Clark Hill PLLC and Defendants, Global

1 Graphic Resources LLC and Daryl K. Hanzal, by and through their attorney of record, Eric J.
2 Nystrom of the law firm of Fox Rothschild LLP hereby stipulate and request that the Court extend
3 the deadlines established by the Scheduling Order entered on August 10, 2021 [ECF 68] by 90-
4 days.

5 This is the parties first request to extend discovery and is made in good faith for the reasons
6 and representations set forth below.

7 **A. DISCOVERY CONDUCTED TO DATE**

- 8 1. Initial disclosures of documents and witnesses was served by Triunfo on August 18,
9 2021, and by Global Graphic Resources and Daryl K. Hanzal on September 9, 2021.
- 10 2. On September 20, 2021, Plaintiff Triunfo served written discovery on Defendants.

11 **B. DISCOVERY TO BE COMPLETED**

- 12 1. The parties anticipate the need for non-expert depositions to be conducted.

13 **C. REASONS DISCOVERY HAS NOT BEEN COMPLETED**

14 As this Court is aware, this case has had a complex procedural history, which was heavily
15 impacted by the pandemic. Several ancillary motions were filed at the outset of this case, including
16 Motions to remove and remand, changing the venue of this case. This litigation commenced in the
17 U.S. District Court for the District of Minnesota. On July 1, 2019, Judge Wright of the U.S. District
18 Court for the District of Minnesota granted Catalina's motion to transfer to the U.S. District Court
19 for the District of Nevada. (ECF No. 17 in 2:18-cv-01913-RFB-DJA; ECF No. 24 in 2:19-cv-01164-
20 RFB-EJY ("1164")).

21 On October 10, 2019, the Court held a status conference and ordered a briefing schedule for
22 a renewed Motion to Remand and Renewed Motion to Compel, noting that both motions would be
23 decided together. Further, at the status conference, the Court consolidated the two related cases,
24 2:18-cv-01913-RFB-DJA and 2:19-cv-01164-RFB-EJY. (ECF No. 24).

25 On November 11, 2019, Catalina filed a Motion for Remand to State Court. (ECF No. 28).
26 On November 22, 2019, GGR responded to the Motion to Remand. (ECF No. 32). On December 2,
27 2019, Catalina replied to the Motion to Remand. (ECF No. 33).

28 On November 12, 2019, GGR filed a Motion to Compel Arbitration and a Motion to Stay.

1 (ECF Nos. 30 and 31). On November 25, 2019, Catalina replied to the Motion to Compel (ECF No.
2 41 in “01164”), and on December 2, 2019, GGR responded. (ECF No. 43 in “01164.”). On
3 November 25, 2019, Catalina responded to the Motion to Stay (ECF No. 42 in “01164”), and on
4 December 2, 2019, GGR responded. (ECF No. 44 in “01164.”).

5 On November 3, 2020, this Court held a hearing on Catalina’s Motion to Remand to State
6 Court, GGR’s Motion to Compel Arbitration, and GGR’s Motion to Stay. (ECF No. 36).

7 On March, 11, 2021, this Court issued its Order: (1) denying Catalina’s Motion to Remand
8 to State Court, specifically finding, among other things, that this dispute “has already been in front
9 of multiple fora.”; (2) denying GGR’s Motion to Compel Arbitration, specifically finding, among
10 other things, that the MTSRA does not apply and does not invalidate the parties’ choice-of-law
11 clause in the SRA; and (3) denying GGR’s Motion to Stay as moot. (ECF No. 48.)

12 On or about April 21, 2021, GGR filed a new Complaint and Jury Demand. (ECF No. 49).
13 In response, Catalina filed a Motion to Strike (ECF No. 50). Catalina filed an Amended Complaint.
14 (ECF No. 59). On June 28, 2021, GGR filed an Answer (ECF No. 60) and Counterclaim (ECF No.
15 62).

16 As demonstrated above, the parties served respective written discovery in which necessarily
17 required analyzing, including production of several documents, in order to formulate a strategic plan
18 to proceed. While the parties believed that they could have discovery completed sufficiently to
19 prepare for depositions and expert report, that belief was incorrect due to intervening factors,
20 coupled with the general disruptions caused by COVID-19 and the resurgence of the disease because
21 of the Delta and Omicron variants and certain personal issues arising with a health crisis involving
22 counsel’s father-in-law who was diagnosed with a terminal disease and quickly presented to the
23 ICU. Co-counsel in this matter contracted COVID-19, and although the quarantine proposed by the
24 CDC recommends a five-day (5) period of isolation, co-counsel continued to test positive and
25 remain symptomatic for an extensive period of time. Additionally, counsel for Plaintiff schedules
26 were impacted by the departure of a senior litigator which necessitated counsel to adopt several
27 cases demanding immediate attention.

28 Good cause exists for the requested extension. For these reasons, the Parties believe their

request for an extension should be granted.

D. ~~PROPOSED~~ SCHEDULE FOR COMPLETING DISCOVERY:

The parties request an order extending the scheduling order deadlines by ninety (90) days.

This extension is reasonable and necessary given the good cause set forth above.

Event	Current Deadline	Proposed Deadline
Close of Discovery	January 31, 2022	May 2, 2022
Dispositive Motions	March 2, 2022	June 1, 2022
Pre-trial Order	April 1, 2022	July 1, 2022

IT IS SO STIPULATED.

Respectfully submitted this 27th day of January, 2022.

CLARK HILL, PLLC

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/s/ Nicholas M. Wieczorek

/s/ Eric J. Nystrom

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ORDER

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Dated: January 27, 2022